

HOMELAND SECURITY ALERTS

A recent letter to law enforcement agencies from DPS Commissioner Robert Flowers identified six key groups that will require an agency head, or official designee to be notified in case of a homeland security alert.

These groups are:

- the public
- law enforcement
- fire and emergency management
- adjacent government agencies
- private infrastructure partners
- the health and medical community

Depending on the nature of the alert, specific notifications will be made to the group or groups that the information applies to. It is very important that local notification systems are activated by your agencies in a timely manner after being contacted.

The state divisions and systems used to disseminate this information to you are: the Homeland Security Infrastructure unit, will directly notify its private corporate partners, the Bureau of Criminal Identification will make notifications through the various public safety dispatch centers, the Division of Emergency Services through the use of E-Team and by activation of the Statewide Emergency Response Team, and the Criminal Intelligence Center will notify administrators that information is being posted on their secure website. The Utah Dept. of Health will be notified by DES.

A simplified matrix of the above information is included on the last page of this Newsletter. Based on your position and needs, it is possible that you will be affiliated with more than one notifying agency.

If you have any questions or comments, please contact the Division of Emergency Services and Homeland Security at 1-800-753-2858.

TAC CONFERENCE 2003

BCI's annual TAC Conference will be held May 13th and 14th, 2003 at Southern Utah University in Cedar City. (Same place as the last two years!) Attendance on May 13th is mandatory, and attendance on the 14th is optional. The conference fee is \$45.00 per person for May 13th attendance only, or \$60.00 per person for two day attendance.

Registration forms can be downloaded from the BCI TAC web site.

IN MEMORIAM



On March 29, Staff Sgt. James Cawley of the Salt Lake City Police Department was killed in Nasiriyah, Iraq. Staff Sgt. Cawley was a reservist with Company F, 2nd Battalion, 23rd Regiment Marines. He was the first Utahn to be killed in the Iraqi conflict. BCI extends our condolences to his family, friends, and colleagues.

Many Utah law enforcement agencies have had employees called up to serve in the war. These service men and women are in our thoughts and prayers, and we are grateful for their sacrifice.

AGENCY NCIC AUDITS

The local agency NCIC audits are still in process, although there will be a slowdown until after the TAC Conference in May.

If your agency is audited it is **required** that you respond to our report. Agencies that fail to respond risk losing their UCJIS access.

MALE OR FEMALE?

Scenario:

You are entering a warrant into NCIC for a wanted person. As standard policy you run both UCCH and Triple I on the individual as well as DLD and warrants checks. However, when you compare the Triple I return and the UCCH response you see a major discrepancy - Triple I has the individual listed as John Doe and a male while UCCH has the person listed as Mary Roe and a female. There are other states records indicated on the Triple I response and when you compare them all only UCCH has this person listed as female but all records have both male and female names as AKA's. All records have the same FBI number and the UCCH and Triple I response list the same Utah SID.

Question: What sex code do you use to enter this warrant onto NCIC?

Answer: U for unknown.

In the NCIC Code Manual, Personal Descriptors section it makes the following statement:

Sex must be indicated by either F (female) or M (male) or U (unknown).

Any clarification of this field should be entered into the MIS field of the warrant entry. Also, any and all AKA's should be entered onto NCIC as part of the warrant base record.

RELIGIOUS INSTITUTIONS AND FIREARMS

During the 2003 legislative session, SB108 was passed. This bill allows religious institutions to prohibit transporting of a firearm into a "house of worship".

Notification that firearms are prohibited may be given by personal communication or announcement in a regular congregation meeting by a person with authority to act for the entity. Posting of signs, or publication in a newspaper of general circulation in the county where entity is located may also be used. Religious institutions must notify the Utah Bureau of Criminal Identification within 30 days of giving or revoking any notice.

Notices will be posted to our web site at www.bci.utah.gov. The website will be updated as entities advise.

DEATHS DURING ARREST SURVEY

The Council on Criminal and Juvenile Justice is working with the Bureau of Justice Statistics on a questionnaire regarding deaths in custody.

In October 2000, Congress passed into law the Deaths in Custody Report Act of 2000. This Act requires all states participating in the Violent Offender Incarceration and Truth-in-Sentencing (VOITIS) grant program to report quarterly on all deaths in law enforcement custody.

The full implementation of the Act requires the inclusion of quarterly reports on deaths "in the process of arrest" from each state on a quarterly basis. The Commission on Criminal and Juvenile Justice has been identified as the agency responsible for collecting this information. The following should be reported:

Deaths of **ALL** persons in process of arrest

- In the physical custody, or under the physical restraint of law enforcement officers, even if the person was not formally under arrest at the time;
- Killed by any use of force by law enforcement officers;
- At crime/arrest scene or medical facility prior to booking;
- While in transit to or from law enforcement facilities;
- While confined in lock-ups or booking centers (facilities from which arrestees are usually transferred within 72 hours and not held beyond arraignment).

Although few such instances occur in Utah during a given year, if a death during the "process of arrest" occurs in your agency, CCJJ will provide you with a form to provide details about the incident. This information will be collected statewide by CCJJ and forwarded to BJS on a quarterly basis, as the law requires. If you have any questions or would like to see a copy of the form, please contact Mike Haddon at CCJJ at 801-538-1047.

45 TRIPLE I STATES

Almost got 'em all! In February 2003 Tennessee became the 45th state to join the Triple I (III) program. The five *non-participating* states are:

Hawaii	Louisiana	Vermont
Kentucky	Maine	

FBI BACKGROUND CHECKS

Members of the public may request a copy of their FBI record. For FBI background check requests, the applicant must submit:

A complete set of fingerprints on FBI form FD-258. The "Reason Fingerprinted" block must contain "Personal Records Check"

A money order or certified check in the amount of \$18.00, payable to the U.S. Treasury

A letter stating that the check is needed for personal reasons

Submit the above 3 items to:

CJIS Division
Attention: SCU
1000 Custer Hollow Road
Clarksburg WV 26306
Tel: (304) 625-3878

The findings of the background check will be mailed directly to the applicant. If no FBI record is found the fingerprint card will be stamped indicating "no record found". If there is a record found a copy of the record will be attached to the fingerprint card submitted.

For more information, see our web site at www.bci.utah.gov/Records/RecFBIRecord.html

XML OFFERED BY NLETS

NLETS offers XML
(Article submitted by ATS)

The key principle of homeland defense and effective law enforcement is "information sharing". The key technology for more effective information sharing is the eXtensible Markup Language (XML). The broad adoption of XML will allow much more pervasive and efficient communications and lower the cost of maintaining current communications infrastructure. There is also increasing pressure from state CIOs and e-government agencies that want to see all state agencies including public safety departments using the same standards including XML. They argue that adoption of standards will allow public safety organizations to fully participate in the increasingly automated integrated criminal justice system. Some states are already moving forward with XML in a big way. The State of Connecticut recently required the use of XML as part of their COLLECT system

modernization. Unfortunately, states are caught with limited budgets and the need to continue to interact with existing infrastructure. The National Institute of Justice under the AISLE grant is helping states by funding the development of NLETS XML services. Likewise, the FBI has recently committed to a timetable to offer NCIC services using XML. A number of XML seminars are being offered by NCJA (http://www.ncja.org/Seminars/Emerging_tech_seminars/emerging_tech_seminars.html).

OUT OF STATE CONCEALED WEAPON PERMITS



The Utah State Legislature passed SB103 during the 2003 legislative session. This bill rescinded the 60 day acknowledgement of out of state concealed carry permits. As of May 5, 2003 Utah will now honor all out of state permits while a person is visiting or traveling through the state.

NCIC 2000 MISSING PERSON FILE

A Brief Look at the NCIC 2000 Missing Person File

Less than one-fifth the size of the Wanted Person File, the Missing Person File is the most dynamic of the person files in the NCIC System. During July 2001, for example, 68,398 records were entered and 68,646 records were canceled.

Any record entered into the Missing Person File is grouped under one of six categories. The following is a description of each category along with a notation of the number of active files in each one as of August 1, 2002.

Juvenile. Over two-thirds of active missing person records fell into the Juvenile category. That grouping contained 61,618 records of persons who were missing and under the age of 18 who did not meet the entry criteria set forth in the other categories.

Since records remain in NCIC indefinitely or until the entering agency removes them, some records have been maintained in this category for many years. That is, some of the "Juvenile" records were



entered when the individual was under age 18, but if found today, that person would be middle-aged. A review of all NCIC records on August 1 indicated a total of 57,251 records were for persons under the age of 18. Records for persons over the age of 18 totaled 41,198.

Endangered This group accounted for 18,940 records in the Missing Person File. Persons of any age who are missing under circumstances that indicate their physical safety may be in danger are counted in this classification.

Involuntary A total of 9,311 persons were missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping.

Disability This group listed 7,413 active records. These entries include persons of any age who are missing and under proven physical/mental disability or are senile, thereby subjecting themselves and others to personal and immediate danger.

Catastrophe This category included 800 individuals who were missing after a catastrophe such as an earthquake or an airplane crash.

Other This category, new with NCIC 2000, currently has 367 records. It contains records for missing persons over the age of 18 who do not meet the criteria for entry in any other category and for whom there is a reasonable concern for their safety.

DID YOU KNOW? The former president of the International Brotherhood of Teamsters, James "Jimmy" Riddle Hoffa, has remained in NCIC's Missing Person File since he disappeared on July 30, 1975.



Hoffa, who began organizing local workers in the 1930s, rose through the ranks of the Teamsters Union to become its president in 1957. The Teamsters grew to the largest labor union in the United States under his leadership, but legal difficulties blemished Hoffa's career.

Hoffa was legally declared "presumed dead" in 1982. Despite the judgment of the courts and convictions of the Hoffa family, as well as widespread rumors and theories as to his ultimate demise, the Jimmy Hoffa record remains active in the Involuntary category of NCIC's Missing Person File.

FINGERPRINTS SOLVE 45 YEAR OLD MURDER

1957 Slayings: Arrest made in 45-year-old slaying of police officers

EL SEGUNDO, Calif. (AP) Gerald Mason was a solid member of his community who lived quietly with his wife of 40 years. He was liked by his neighbors and often made home repairs for local widows. But 45 years ago, authorities say Mason had a darker side. They allege he was an ex-convict who robbed and raped teens in a lovers lane and gunned down two police officers after they stopped his stolen car for running a red light. Mason, 68, was recently arrested and charged with murder, rape, robbery and kidnapping.

Authorities said a new FBI database matched Mason's fingerprints to those found in the stolen car following the July 22, 1957 slayings. Mason could face life in prison without parole if convicted.

Authorities contend it was Mason who held up two 15-year-old girls and their dates in a field one night in 1957. The teens were tied up and driven to a secluded area, where the gunman raped a girl, stole watches, jewelry and cash, forced the victims to undress and drove off in one boy's car. About 90 minutes later, El Segundo officers Milton G. Curtis, and Richard A. Phillips, saw the car run a red light and pulled it over. Phillips went to write up a ticket while Curtis, a rookie with just 2 1/2 months, stayed in the patrol car to check whether the car was stolen. At that moment the driver pulled a .22-caliber handgun and shot Phillips, then ran back and shot Curtis through the police car's window.

A nationwide manhunt began and thousands of tips and hundreds of suspects were investigated without success. In 1960, a nearby resident turned in two watches, jewelry and a revolver he had found in his yard, apparently thrown there years earlier by the killer. Ballistic tests showed the gun was "consistent" with the bullets used to kill the officers. The watches belonged to the robbery victims. But without additional leads, the case languished. A tip to El Segundo police last September that someone had bragged about the killings prompted the sheriff's cold case unit to dust it off. The lead turned out to be false but it prompted authorities to review the case. The FBI's fingerprint database found a match to Mason, who had done jail time for a 1956 burglary conviction in South Carolina.

Associated Press writer Pamela Hamilton in South Carolina contributed to this report.

Summary from the Associated Press

UCR/IBR

A heartfelt "THANK YOU" to all the agencies who submitted complete 2002 statistical data to BCI. 2002 has seen greater participation than we have seen in years.



Reminder to NIBRS agencies: BCI is seeing an increased amount of NIBRS error 268 "A Larceny Offense Cannot Have a Motor Vehicle Property Description Entered."

Whenever the offense is "Larceny/Theft," the property stolen cannot be a motor vehicle. If a motor vehicle is stolen, the offense must be listed as "Motor Vehicle Theft."

If the stolen property includes a motor vehicle and another item you will have to show the offenses of "Larceny/Theft" and "Motor Vehicle Theft."

New Agency: Welcome to the Big Water Marshal's Office, which was formed in October 2002. The Marshal's office has promptly been sending in their UCR reports ever since.

MISSING PERSON INFORMATION

RACHAEL ALERT NAME CHANGE

The missing children's alert system in Utah, formerly known as the "Rachael Alert," is now known as the "Amber Alert." Other than the name change, the program has remained essentially unchanged.

Law enforcement officers should send potential missing child notifications to amberalert@utah.gov.

For more information about the Amber Alert in Utah, refer to the Utah Attorney General's web site at www.attorneygeneral.utah.gov/AL/amberalert.htm

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DNA DATABASE

The Utah Bureau of Forensic Services (Crime Lab) has implemented their unidentified and missing person DNA database. The Bureau of Forensic Services are currently doing DNA tests on unidentified persons and entering this data into this system.

Also, the FBI is doing DNA tests on relatives of missing persons. These tests require NCIC entry of miscellaneous information regarding the DNA outcome. NCIC currently does not have fields for DNA information, so as per NCIC protocols and procedures the information must be entered in the Miscellaneous field. (The new fields for DNA information should be operational by the start of 2004.) The Utah Missing Person's Clearinghouse will be doing the modifications for them.

If you receive an inquiry regarding DNA data, please contact Gabe Bier at the Bureau of Forensic Services. (801-965-3870) For any further questions, please contact Gina McMahon at the Utah Missing Person's Clearinghouse (801-965-4686.)

NCIC MISSING PERSON PACKETS

NCIC MISSING PERSON PACKETS Data Collection Entry Guide

When an agency has a completed the NCIC Missing Persons Packet, it is the responsibility of the entering agency to make the modifications to the entry before the packet is turned into BCI's missing person clearinghouse.

Entering the dental information into NCIC is still an entry that is done only by BCI; however, it is the agency's responsibility to have the dental information coded as per NCIC dental coding regulations. BCI *cannot* enter dental coding from the x-rays of a missing person.

If there are questions on the Missing Person Data Collection Guide or your agency needs packets you can contact BCI at 801-965-4686.

FORWARD NEWS ITEMS TO: B.C.I., FIELD SERVICES, 3888 W 5400 S, BOX 148280, SALT LAKE CITY UT 84114-8280

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